

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	Crim. No. 15-cr-10271-WGY
)	
ALEX LEVIN)	
_____)	

DEFENDANT'S MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

The defendant, Alex Levin, moves pursuant to 18 U.S.C. § 3145(a)(2) that this Court amend the conditions of release ordered by this Court on May 12, 2016 (Dkt. 85). Specifically, the defendant moves that his curfew be extended until 2:15 AM on Wednesday into Thursday, and on Saturday into Sunday, so that he may accept a promotion as shift manager. Pretrial Services, through Probation Officer Chrissy Murphy, assents to this motion. As grounds therefore, the defendant states the following:

The defendant was charged with one count of possession of child pornography on August 12, 2015. On April 20, 2016, this Court allowed the Defendant's Motion to Suppress Evidence. (Dkt. 69). The prosecution filed a notice of appeal on May 17, 2016, and the case was transferred to the jurisdiction of the First Circuit Court of Appeals. (Dkt. 89, 91). The prosecution received three extensions of time for filing its brief in the

First Circuit. The prosecution filed its brief on October 26, 2016. The defendant filed his brief on February 3, 2017. The prosecution received an extension to file its reply brief until March 17, 2017. The prosecution also moved that oral argument be moved from April 3, 2017 to a later date due to professional obligations. Oral argument was held on May 3, 2017.

The defendant's curfew runs from 9:00 p.m. until 7:00 a.m. on Wednesday through Friday and from 1:00 a.m. until 7:00 a.m. from Saturday through Tuesday. He moves that his curfew be extended until 2:15 AM on two nights so that he may accept a promotion as shift manager at his job at the fulfillment center. The shift ends at 1:45 AM, and the defendant will return to his home within the additional half-hour.

The defendant's other conditions of release: report to Pretrial Services; remain in Massachusetts; maintain residence and do not move without prior Pretrial Services approval; refrain from excessive use of alcohol; refrain from drug use; submit to random alcohol and drug testing; submit to location monitoring with a GPS ankle bracelet; and no unsupervised contact with children under 18 except his daughter, would remain in place.

WHEREFORE, the defendant moves that this Court amend the conditions of his release by extending his curfew until 2:15 AM

on Wednesday into Thursday, and on Saturday into Sunday, so that he may accept a promotion as shift manager at his job.

ALEX LEVIN
By His Attorneys,

CARNEY & ASSOCIATES

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June 19, 2017

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

J. W. Carney, Jr.

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AFFIDAVIT SUPPORTING
DEFENDANT'S MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

I, J. W. Carney, Jr., state that the facts contained in the attached motion are true to the best of my information and belief.

Signed under the penalties of perjury.

J. W. Carney, Jr.
J. W. Carney, Jr.

June 19, 2017